



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
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ATLANTA, GEORGIA 30303-8960

June 13, 2008

Dr. Roy E. Crabtree
Regional Administrator
National Oceanic and Atmospheric Administration
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SUBJ: EPA Comments on the NOAA FEIS for "Amendment 14 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region"; CEQ# 20080233; ERP# NOA-E86004-00

Dear Dr. Crabtree:

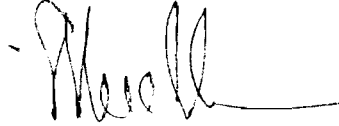
Consistent with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the subject National Oceanic and Atmospheric Administration / National Marine Fisheries Service (NOAA/NMFS) Final Environmental Impact Statement (FEIS). Amendment 14 to the Fishery Management Plan (FMP) for the snapper grouper fishery of the South Atlantic Region documents the designation of several sites along the eastern U.S. coastline as Marine Protection Areas (MPAs) to protect various snapper grouper species.

EPA appreciates that the FEIS responded to our NEPA comment on Draft Environmental Impact Statement (DEIS) regarding performance metrics (pg. A). We assume that the monitoring plan to be outlined by the Council will be implemented and adapted as necessary after implementation. However, our DEIS comment on the term of the proposed Marine Protection Areas (MPAs) designations was not specifically addressed in the FEIS (i.e., "Also, will the MPAs be designated for perpetuity, a set term, or until monitoring demonstrates recovery, and are the site designations adaptable in order to incorporate any identified modifications?"). We request that this comment be addressed in NOAA's Record of Decision (ROD) and associated rulemaking, as well as include any update on the proposed monitoring plan. Further, for future NOAA fishery EISs, we recommend that copies of public comment letters be included in appendices for public review, unless they are voluminous. No copies of public comment letters on the DEIS were not noticed in the FEIS.

Editorially, we also note that the "Dear Reviewer" cover page is dated "June 2, 2008", but that the document's cover sheet as well as its textual pages (bottom right) are dated "July 2007" as opposed to "June 2008". For clarity, this oversight might also be referenced in the ROD and rulemaking.

EPA appreciates the opportunity to review the FEIS and continues to support Amendment 14 and its designation of MPAs for snapper grouper species protection. Should you have questions regarding our comments, you may wish to contact Chris Hoberg of my staff at 404/562-9619 or hoberg.chris@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Mueller", with a long horizontal flourish extending to the right.

Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management

cc: Dr. Rodney F. Weiher – NOAA NEPA Coordinator; Silver Spring, MD